

Message Text

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ACTION L-03

INFO OCT-01 ARA-10 ISO-00 FBOE-00 A-01 /015 W

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R 122034Z AUG 75

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC PRIORITY 2256

UNCLAS BUENOS AIRES 5437

FOR BURMAN, L/M AND HOLMES, FBO

E.O. 11652: N/A

TAGS: ABLD, AR

SUBJECT: PROJECT EOBBB, CONTRACT NO. 3102-212008, PROPERTY
#05102

REF: BA 5378

1. FOLLOWING IS EMBASSY'S INFORMAL TRANSLATION (CLEARED WITH BRONS & SALAS) OF SPANISH LANGUAGE LETTER FROM GREGORIO CHODOS, PRESIDENT OF SITRA, S.A. DATED AUGUST 11, 1975 IN REPLY TO EMBASSY'S LETTER OF AUGUST 8 SENT REFTEL.

2. BEGIN INFORMAL TRANSLATION: QUOTE - DEAR SIR:
I HAVE RECEIVED YOUR LETTER OF AUGUST 8 WHICH OBLIGES US TO SEND YOU SOME COMMENTS.

3. IN THE FIRST PLACE, WE WISH TO EXPRESS OUR SATISFACTION FOR THE PARTICIPATION OF THE EMBASSY IN THE IMPLEMENTATION OF THE CONTRACT FOR THE CONSTRUCTION OF THIS PROJECT, A PARTICIPATION WHICH WILL UNDOUBTEDLY ALLOW A GREATER UNDERSTANDING BETWEEN THE DEPARTMENT OF STATE AND SITRA, S.A., AND WHICH WITHOUT ANY DOUBT WILL REDOUND TO THE OVERALL BENEFIT OF THE JOB.

4. TURNING NOW TO SUBSTANTIVE MATTERS, WE UNDERSTAND THAT THE SUM OF US\$ 215,208.66 IS A PAYMENT ON ACCOUNT OF LIQUIDATIONS AND CERTIFICATES CORRESPONDING TO THE DATES
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MENTIONED.

5. WITH RESPECT TO THE REFERENCE TO THE PENALTY THAT MAY RESULT FROM THE APPLICATION OF THE CLAUSE IN THE CONTRACT THAT REFERS TO DELAYS IN THE PROJECT FOR UNJUSTIFIABLE REASONS, THIS APPEARS TO US TO BE A RIGHT THAT IS ABSOLUTELY VALID. OUR CONCERN IS PRECISELY TO FULFILL THE CONTRACT, BUT WE UNDERSTAND THAT THE OBLIGATIONS THAT STEM THEREFROM MUST BE FULFILLED BY BOTH SIDE AND NOT UNILATERALLY.

6. ACCEPTANCE OF THE PROVISIONAL PAYMENT MADE BY YOU IN NO WAY MODIFIES ANY OF THE CLAUSES OF AMENDMENT NO. 3, ON THE CONTRARY, IT CONFIRMS SAME.

7. WE REITERATE ONCE MORE THAT THE SCOPE OF THE AUDIT BEING MADE IS OBVIOUS AND WE REPEAT THAT IT WAS REQUESTED BY US PRECISELY TO SUPPORT ALL OUR CLAIMS. THEREFORE, WE DO NOT SEE WHY WE WOULD DENY PROVIDING THE NECESSARY INFORMATION. PRICE, WATERHOUSE & PEAT ALREADY HAVE MOST OF THE MATERIAL, NEEDED TO PREPARE THE REPORT THAT WILL PUT OUR RELATIONSHIP ON A JUST PAR. COMPLETELY UNDERSTOOD BY US. WE, THEREFORE, REQUEST THAT YOU KINDLY CLARIFY IT.

9. I AM ENCLOSING DOCUMENTATION OF AN OFFICIAL NATURE WHICH I URGE YOU TO EXAMINE WITH CARE, AND FORWARD TO THE DEPARTMENT OF STATE (FSO). THE SAID INFORMATION IS SUFFICIENTLY CLEAR AND ELOQUENT AS TO GIVE A PATHETIC PICTURE OF THE SITUATION OF OUR INDUSTRY IN GENERAL AND OF THE DIFFICULTIES THAT ARE CAUSED US BY THE LACK OF UNDERSTANDING THAT THERE IS IN WASHINGTON OF OUR CONSTANT CLAIMS, THAT BEGAN IN THE MONTH OF JANUARY 1974.

10. MR. MONTLLOR, WE TRUST THAT WITH YOUR INTERVENTION WE WILL BE ABLE TO FIND THE WAY THAT WILL PERMIT US TO FINISH THE JOB, THUS AVOIDING INITIATING LEGAL ACTIONS WHICH CAN ONLY RESULT IN DAMAGING THE ACTIVITIES OF THE TWO PARTIES. UNQUOTE.

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11. FYI: DOCUMENTATION REFERRED TO IN PARA 9 OF LETTER BEING STUDIED BY BRONS & SALAS (TOMAS BOYWITT) BEFORE BEING POUCHED TO FBO. END FYI.
HILL

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NNN

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